

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

C. PEPPER MOORE,

Plaintiff,

vs.

SHERRY L. BURT, et. al.,

Defendants.

CIVIL ACTION NO. 06-CV-10541-DT

DISTRICT JUDGE BERNARD A. FRIEDMAN

MAGISTRATE JUDGE DONALD A. SCHEER

ORDER STAYING DISCOVERY

This cause comes before the Court on Defendants' Motion for a Protective Order to Stay Discovery filed in May 2006 (Docket #22). This motion is pending despite the fact that the Court partially ruled on defendants' dispositive motion in November 2006 (Docket #32). Since another dispositive motion by defendants is now pending before the Court on the remaining issues in the case, the Motion for a Protective Order to Stay Discovery should be GRANTED. Defendants have asserted defenses of failure to exhaust administrative remedies and qualified immunity in seeking dismissal of Plaintiff's retaliation claim.

Compelling defendants to respond to Plaintiff's general discovery requests before adjudication of defendants' pending dispositive motion will result in the unnecessary use of public funds and public employee time. If Plaintiff requires limited discovery for purposes

of responding to the pending dispositive motion, he may demonstrate good cause for such discovery in his motion response.

s/Donald A. Scheer
DONALD A. SCHEER
UNITED STATES MAGISTRATE JUDGE

DATED: January 19, 2007

CERTIFICATE OF SERVICE

I hereby certify on January 19, 2007 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on January 19, 2007. **C. Pepper Moore.**

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge Donald A. Scheer
(313) 234-5217